

EXHIBIT A

THE NATIONAL PRESS CLUB

JOURNALISM INSTITUTE

The World's Leading Professional Organization For Journalists

Kathy Kiely
Press Freedom Fellow
National Press Club Journalism Institute
529 14th St. NW
Washington, DC 20045
kkiely@press.org

U.S. Immigration and Customs Enforcement
Freedom of Information Act Office
Washington, D.C.
ICE-FOIA@dhs.gov

VIA EMAIL

RE: Freedom of Information Act Request

Dear FOIA Officer,

This letter constitutes a request under the federal Freedom of Information Act, 5 U.S.C. § 552 ("FOIA"), and is submitted on behalf of myself and the National Press Club Journalism Institute (the "Journalism Institute" or "NPCJI") to United States Immigration and Customs Enforcement ("ICE"). The Journalism Institute is the non-profit affiliate of the National Press Club, based in Washington, DC. See <https://www.press.org/institute>.

I. **Requested Records**

Pursuant to the FOIA, I and the Journalism Institute request access to and copies of the following:

1. All records, including but not limited to emails, memos, text messages, and other communications, since January 1, 2017, that mention Emilio Gutierrez-Soto (aka Emilio Gutierrez Soto) or his son, Oscar Gutierrez-Soto (aka Oscar Gutierrez Soto);
2. All records of ICE facilities and/or personnel in El Paso, Texas, including but not limited to communications (e.g., emails, memos, text messages) and any mechanisms used to limit or block phone calls from detainees at ICE's El Paso facilities, since March 1, 2018, that mention or contain any of the following:
 - a. [REDACTED];
 - b. [REDACTED];
 - c. Eduardo Beckett;
 - d. Beckett Law Firm.

In order to facilitate the location of responsive records, please note that Emilio Gutierrez-Soto (A-Number [REDACTED]) was born in Mexico on [REDACTED], and Oscar Gutierrez-Soto (A-Number [REDACTED]) was born in Mexico on [REDACTED].

Please also note that ICE has previously received privacy waivers from Emilio Gutierrez-Soto and Oscar Gutierrez-Soto authorizing the release of records to me, executed in the presence of their attorney, Eduardo Beckett. I have attached copies of those privacy waivers to this request, along with a privacy waiver from Eduardo Beckett.

Please provide records responsive to this request in electronic form, preferably by email to kkiely@press.org. If records cannot be sent via email, please send them via mail to the address above on a CD or DVD.

II. Fees and Fee Categorization

For the purposes of assessing fees, please know that I and the Journalism Institute are representatives of the news media, and accordingly are only required to pay for direct duplication costs after the first 100 pages. 5 U.S.C. § 552(a)(4)(A). The Journalism Institute disseminates information to the public through multiple avenues, including through its biweekly newsletter, The Wire, events,¹ press releases,² the website of the National Press Club,³ and social media.⁴ I am a longtime journalist, a professor of journalism, and currently the NPCJ's Press Freedom Fellow. These records are not being sought for commercial purposes.

In the event that there are fees for responding to this request, I am willing to pay up to \$25. Please let me know in advance if fees for responding to this request will exceed that amount before proceeding.

III. Conclusion

If this request is denied in whole or part, please justify all such denials by reference to specific exemptions and provide an explanation of why ICE "reasonably foresees that disclosure would harm an interest" protected by that exemption or why "disclosure is prohibited by law[.]" 5 U.S.C. § 552(a)(8). Please also ensure that all segregable portions of otherwise exempt material are released.

If you have any questions regarding this request, please feel free to contact me at kkiely@press.org or 202-256-4748. Thank you in advance for your assistance.

Sincerely,

Kathy Kiely
National Press Club Journalism Institute
202-256-4748 (cell)
kkiely@press.org

cc: Katie Townsend, Esq.
Adam A. Marshall, Esq.
Reporters Committee for Freedom of the Press

¹ See e.g. <https://www.press.org/events/2018-wpfd-dangerous-times>

² See <https://www.prnewswire.com/news/national-press-club>

³ <https://www.press.org/>

⁴ <https://twitter.com/NPCIInstitute>; <https://www.facebook.com/NPCJournalismInstitute/>

Freedom of Information Act Office

U.S. Department of Homeland Security
500 12th St SW, Stop 5009
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

2018-ICFO-19000

AFFIRMATION/DECLARATION

This is to affirm that

I, Eduardo Beckett,
(PRINT FULL NAME)

request access to records maintained by the Immigration and Customs
Enfo [REDACTED]

my date of birth is: [REDACTED], and

my place of birth was: [REDACTED]

I understand that any knowingly or willfully seeking or obtaining access to records about
another person under false pretenses is punishable by a fine of up to \$5,000. I also
understand that any applicable fees must be paid by me.

I hereby authorize Kathy Keily ("NPCSI") access to my records.
(PRINT FULL NAME)

I request that any located and disclosable records be forwarded to the following individual:

Kathy Keily ("NPCSI") at the following address:
(PRINT FULL NAME)

Any and all records requested to include blocking phone number
[REDACTED] between March 1, 2018 - April 15, 2018

I hereby declare or certify under penalty of perjury that the foregoing is true and correct.

Executed on 05/17/2018
(DATE)

Eduardo Beckett

(SIGNATURE OF AFFIRMANT/DECLARANT).

PLEASE RETURN TO: U.S. Department of Homeland Security
Immigration and Customs Enforcement
500 12th Street, SW, Stop 5009, Washington, DC 20536-5009
Via Facsimile: 202-732-4265;
Via email: ice-foia@dhs.gov

Freedom of Information Act Office

U.S. Department of Homeland Security
500 12th St SW, Stop 5009
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

2018-ICFO-19000

AFFIRMATION/DECLARATION

This is to affirm that

I, Emilio Gutierrez-Soto, A.No.
(PRINT FULL NAME)

request access to records maintained by the Immigration and Customs
Enforcement which pertain to me. My current address is:

my date of birth is: _____, and

my place of birth was: _____

I understand that any knowingly or willfully seeking or obtaining access to records about another person under false pretenses is punishable by a fine of up to \$5,000. I also understand that any applicable fees must be paid by me.

I hereby authorize Kathy Kiely
(PRINT FULL NAME) access to my records.

I request that any located and disclosable records be forwarded to the following individual:

Kathy Kiely, Press Freedom Fellow
(PRINT FULL NAME) at the following address:

529 14th St. NW, Washington, DC 20045

I hereby declare or certify under penalty of perjury that the foregoing is true and correct.

Executed on 02/13/18
(DATE)

X Emilio Gutierrez Soto
(SIGNATURE OF AFFIRMANT/DECLARANT)

PLEASE RETURN TO: U.S. Department of Homeland Security
Immigration and Customs Enforcement
500 12th Street, SW, Stop 5009, Washington, DC 20536-5009
Via Facsimile: 202-732-4265;
Via email: ice-foia@dhs.gov

Freedom of Information Act Office

U.S. Department of Homeland Security
500 12th St SW, Stop 5009
Washington, DC 20536



U.S. Immigration
and Customs
Enforcement

2018-ICFO-19000

AFFIRMATION/DECLARATION

This is to affirm that

I, Oscar Gutierrez-Soto, A. No.
(PRINT FULL NAME)

request access to records maintained by the Immigration and Customs
Enforcement which pertain to me. My present address is:

my date of birth is: _____, and

my place of birth was: _____

I understand that any knowingly or willfully seeking or obtaining access to records about
another person under false pretenses is punishable by a fine of up to \$5,000. I also
understand that any applicable fees must be paid by me.

I hereby authorize Kathy Kiely
(PRINT FULL NAME) access to my records.

I request that any located and disclosable records be forwarded to the following individual:

Kathy Kiely, Press Freedom Fellow
(PRINT FULL NAME) at the following address:

529 14th St. NW, Washington, DC 20045

I hereby declare or certify under penalty of perjury that the foregoing is true and correct.

Executed on

02/12/18
(DATE)

X Oscar Gutierrez
(SIGNATURE OF AFFIRMANT/DECLARANT).

PLEASE RETURN TO: U.S. Department of Homeland Security
Immigration and Customs Enforcement
500 12th Street, SW, Stop 5009, Washington, DC 20536-5009
Via Facsimile: 202-732-4265;
Via email: ice-foia@dhs.gov